

EXHIBIT D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



SINGULARDTV, GMBH, : Case No. 1:21-cv-10130

:

Plaintiff, :

-against- :

:

ZACHARY LEBEAU and KIMBERLY JACKSON, :

Defendants. :

DECLARATION OF ZACHARY LEBEAU

I, Zachary LeBeau, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge and belief:

1. That in connection with the Plaintiff SingularDTV GMBH's ("Plaintiff") Document Requests (the "Requests") (Dkt. #75 Exhibit A), I personally conducted the following due and diligent searches for responsive documents as defined in the Requests as follows.

Request # 1: All documents concerning the acquisition or configuration of any Cold Wallet Device.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singulardtv.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singulardtv.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singulardtv.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io, patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz m.mraz@wengerviel.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: “acquisition” “configuration” “Cold Wallet Device” “device” “cold wallet” “wallet” “electronic” “hardware” “electronic hardware device” “store seed phrases” “seed phrases” “passwords” “authorizing information” “authorized information” “necessary to transact in digital assets held at the Cold Wallet Address” “digital assets” “Cold Wallet Address”.

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld on any basis.

Request #2: All documents concerning the dismantling, destruction, or abandonment of any Cold Wallet Device.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singulardtv.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singulardtv.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singulardtv.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io, patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz m.mraz@wengerviel.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: “dismantling” “dismantle” “destruction” “destruct” “abandonment” “abandon” “Cold Wallet Device” “device” “cold wallet” “wallet” “electronic” “hardware” “electronic hardware device” “store seed phrases” “seed phrases” “passwords” “authorizing information” “authorized information” “necessary to transact in digital assets held at the Cold Wallet Address” “digital assets” “Cold Wallet Address”.

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld on any basis.

Request #3: All documents concerning the physical location of any Cold Wallet Device at any point in time.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singulardtv.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singulardtv.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singulardtv.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io,

patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz
m.mraz@wengervieli.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: “physical location” “physical” location” “Cold Wallet Device”
“device” “cold wallet” “wallet” ““electronic” “hardware” “electronic hardware device”
“store seed phrases” “seed phrases” “passwords” “authorizing information” “authorized
information” “necessary to transact in digital assets held at the Cold Wallet Address”
“digital assets” “Cold Wallet Address”.

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld on any basis.

Request #4: All documents identifying, referring to, or evidencing the individuals with
access to any Cold Wallet Device at any point in time.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singularDTV.com, kim@breaker.io; Joseph
Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva
matt.corva@consensys.net; Ari Levy Cohen arie@singularDTV.com
arielevycohen@gmail.com; Ed Greenwood edgreenwood@singularDTV.com,
edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io,
patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz
m.mraz@wengervieli.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: “Cold Wallet Device” “device” “cold wallet” “wallet” ““access”
“electronic” “hardware” “electronic hardware device” “store seed phrases” “seed
phrases” “passwords” “authorizing information” “authorized information” “necessary to
transact in digital assets held at the Cold Wallet Address” “digital assets” “Cold Wallet
Address”.

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld on any basis.

Request #5: All documents concerning the printing of the Paper Wallet.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singularDTV.com, kim@breaker.io; Joseph
Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva
matt.corva@consensys.net; Ari Levy Cohen arie@singularDTV.com
arielevycohen@gmail.com; Ed Greenwood edgreenwood@singularDTV.com,

edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io, patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz m.mraz@wengerviel.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: "printing Paper Wallet" "printing" "paper wallet" "sheets of paper" "SingularDTV GmbH Paper Wallet" SingularDTV GmbH Paper" "SingularDTV GmbH Wallet"

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld on any basis.

Request #6: All documents concerning the storage of the Paper Wallet at any point in time.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singularDTV.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singularDTV.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singularDTV.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io, patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz m.mraz@wengerviel.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: "storage of Paper Wallet" "storage" "sheets of paper" "SingularDTV GmbH Paper Wallet" SingularDTV GmbH Paper" "SingularDTV GmbH Wallet"

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld on any basis.

Request #7: All documents identifying, referring to, or evidencing the individuals with access to the Paper Wallet or the information printed on it at any point in time.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singularDTV.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singularDTV.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singularDTV.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io,

patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz
m.mraz@wengervieli.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: “individuals and Paper Wallet” “identity” “identities” “Paper Wallet” “access and Paper Wallet” “access to Paper Wallet” “SingularDTV GmbH Paper Wallet” “SingularDTV GmbH Paper” “SingularDTV GmbH Wallet” “Paper Wallet information” “Paper Wallet Printed Information”

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld.

Request #8: All documents concerning methods through which funds on the Cold Wallet have been transferred at any point in time, including, without limitation, Your transfer of ETH to an escrow agent on January 25, 2022, pursuant to an escrow agreement between You and SingularDTV GmbH.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singularDTV.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singularDTV.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singularDTV.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io, patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz m.mraz@wengervieli.ch; Milad Mostavi milad.mostavi@consensys.net

Word Searches: “Cold Wallet Device” “device” “cold wallet” “wallet” “access” “electronic” “hardware” “electronic hardware device” “store seed phrases” “seed phrases” “passwords” “authorizing information” “authorized information” “necessary to transact in digital assets held at the Cold Wallet Address” “digital assets” “Cold Wallet Address” “individuals and Paper Wallet” “identity” “identities” “Paper Wallet” “access and Paper Wallet” “access to Paper Wallet” “SingularDTV GmbH Paper Wallet” “SingularDTV GmbH Paper” “SingularDTV GmbH Wallet” “Paper Wallet information” “Paper Wallet Printed Information”

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld.

Request #9: All communications between You and any other person describing, evidencing, disclosing, or otherwise referring to the existence of the Paper Wallet.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singularDTV.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singularDTV.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singularDTV.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io, patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz m.mraz@wengerviel.ch; Milad Mostavi milad.mostavi@consensys.net

Email Word Searches: "individuals and Paper Wallet" "identity" "identities" "Paper Wallet" "access and Paper Wallet" "access to Paper Wallet" "SingularDTV GmbH Paper Wallet" SingularDTV GmbH Paper" "SingularDTV GmbH Wallet" "Paper Wallet information" "Paper Wallet Printed Information" "Paper" "Wallet" "Paper Wallet"

Paper Files: I do not utilize or maintain any hard paper files.

There are no responsive documents that are being withheld.

Request #10: All communications between You and any other person describing, evidencing, disclosing, or otherwise referring to the dismantling, destruction, or abandonment of any Cold Wallet Device.

Searches of my e-mail accounts and computer files were performed.

Email Names Searched: Kim Jackson kim@singularDTV.com, kim@breaker.io; Joseph Lubin joseph.lubin@consensys.net; Carl Volz cvolz@breaker.io; Matt Corva matt.corva@consensys.net; Ari Levy Cohen arie@singularDTV.com arielevycohen@gmail.com; Ed Greenwood edgreenwood@singularDTV.com, edgreenwood@breaker.io; Patrick Allenspach pallenspach@breaker.io, patrik@codexexecution.ch, patrik.allenspach@palpro.ch; Michael Mraz m.mraz@wengerviel.ch; Milad Mostavi milad.mostavi@consensys.net

Word Searches: "dismantling" "dismantle" "destruction" "destruct" "abandonment" "abandon" "Cold Wallet Device" "device" "cold wallet" "wallet" "electronic" "hardware" "electronic hardware device" "store seed phrases" "seed phrases" "passwords" "authorizing information" "authorized information" "necessary to transact in digital assets held at the Cold Wallet Address" "digital assets" "Cold Wallet Address".

Paper Files: I do not utilize or maintain any hard paper files.


There are no responsive documents that are being withheld.

2. That no documents were knowingly disposed of by my or anyone under my supervision so as to undermine Plaintiffs' right to full discovery.

3. That all responsive documents are being delivered electronically to Plaintiff's counsel on May 5, 2022.

Dated: New York, New York
May 5, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'ZB' with a stylized flourish extending to the right.

Zachary LeBeau